



Docket No. 50253-28 (2860-014) P1453

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : RESPONSE UNDER 37 CFR 1.116
Bruce TOGNAZZINI : EXPEDITED PROCEDURE
Serial No. 08/655,136 :
Filed: May 30, 1996 : Group Art Unit: 2762
For: CATALOG PHONE SALES TERMINAL : Examiner: Jason Rhodes

REQUEST FOR RECONSIDERATION UNDER 37 CFR 1.116

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Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

This is in response to the Final Rejection, dated July 27, 1998, of claims 1-20 of the above-identified application.

Each of independent claims 1, 5, 11, 13, 15, 16 and 17, directly or indirectly, require storing information from a called station and then later sending the stored information over the network to a called station. None of the references show this feature.

Considering the specification of this application, the problems solved by the claimed invention is to avoid having the customer repeat information which is commonly associated with telephone purchases. See the paragraph bridging pages 1 and 2 of the specification. To solve this problem, a conventional telephone is modified. The modifications permit the kind of operation

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described on pages 4 and 5 of the specification. When a caller calls a retailer to make a telephone purchase, the retailer records the information in digital form as part of the credit approval process. This information is then transmitted back to the modified telephone where it is stored in the telephone memory. On subsequent occasions, either with the original retailer or other retailers, when identifying information is required for credit card transaction, the user simply presses a key that sends the stored information to the retailer.

Even if one were to combine each of the references cited by the Examiner in the manner provided by the Examiner the result would not be a system which solves these problems or provides the capabilities described in the portions of the specifications just mentioned.

The Examiner's rejection fails to identify in the references any features or combination of features which solves such a problem or provides the capabilities described. For many of the independent claims, the Examiner has apparently ignored the critical language of the claims.

For the reasons given, Applicant respectfully requests that the Examiner reconsider the rejections and permit the application to issue as a patent. If the Examiner feels that the existing claim language does not adequately reflect the operational capability described above, the undersigned would be pleased to

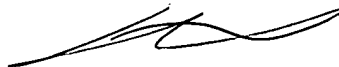
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meet with the Examiner to discuss appropriate claim language which would result in allowance of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT, WILL & EMERY



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